PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)*

Applicant's or agent's file reference	FOR FURTHER ACTION
S05P0374WO00	See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2005/001978	**03.02.2005**	**10.02.2004**

International Patent Classification (IPC) or both national classification and IPC

Applicant

SONY CORPORATION

1. This opinion contains indications relating to the following items:

☒	Box No. I	Basis of the opinion
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☒	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

   If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

   If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

   For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/ISA/237 (cover sheet) (January 2004)

Box No. I	Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

    ☐ This opinion has been established on the basis of a translation from the original language into the following language

    _____ , which is the language of a translation furnished for the purposes of international search (under

    Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

    a. type of material

    ☐ a sequence listing

    ☐ table(s) related to the sequence listing

    b. format of material

    ☐ in written format

    ☐ in computer readable form

    c. time of filing/furnishing

    ☐ contained in the international application as filed.

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    ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims		YES
	Claims	1 – 9	NO
Inventive step (IS)	Claims		YES
	Claims	1 – 9	NO
Industrial applicability (IA)	Claims		YES
	Claims	1 – 9	NO

2. Citations and explanations:

Claims 1-4, 7, 9
Document 1: JP 2002-208900 A (Kabushiki Kaisha Plantech), 26 July 2002,
Paragraphs 0015-0019, 0026-0027, 0031; Figs. 1-10
describes an "extraction/processing means (10)" (paragraph 0016) for receiving on-air data from a "data server (11)" (paragraph 0015, Fig. 11) for using a "language such as SQL" (paragraph 0015) to store the on-air data including the broadcast song name in a searchable format, and
detecting the broadcast count for each broadcast song based on the received on-air data and creating a "weekly ranking" (paragraph 0018, Fig. 4) and a "monthly ranking" (paragraph 0013).

  This examination finds that while not specifically stated in document 1, the extraction/processing means (10) transmits a query in which appropriate search conditions are set to a database (11) stored in a searchable format using a language such as SQL.

  Consequently, claims 1-4, 7, and 9 do not appear to be novel based on document 1.

(Continued to Supplemental Box)

Box No. VI	Certain documents cited

1. Certain published documents (Rule 43*bis*.1 and 70.10)

Application No. Patent No.	Publication date (day/*month*/*year*)	Filing date (day/*month*/*year*)	Priority date (valid claim) (*day*/month/*year*)
JP 2004-80275 A [EX]	11.03.2004	14.08.2002	
JP 2004-288330 A [EX]	14.10.2004	24.03.2003	

2. Non-written disclosures (Rule 43*bis*.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/*month*/*year*)	Date of written disclosure referring to non-written disclosure (*day*/month/*year*)

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Claims 5, 6, 8

Document 2: JP 2002-342351 A (Ikuo OTA), 29 November 2002, Paragraphs 0044-0045, 0050-0054, 0079-0081; Fig. 1

describes a system provided with an "integrated broadcast database (130)" (paragraph 0045) for storing "broadcast data" (paragraph 0044) in a searchable state including information related to the broadcast time of the broadcast song and the song name, and

a "first tabulation means" (paragraph 0051) and a "second tabulation means" (paragraph 0054) for tabulating the broadcast count of a song (paragraphs 0051, 0054), as well as

provided with a communication means (Fig. 1) for receiving a transmission request for a "desired tabulation result" (Fig. 1) from a listener, a record company, a publishing company, or an advertising agency and transmitting the tabulation results.

This examination finds that while not specifically stated in document 2, a predetermined condition required for tabulation or searching is included in the "desired tabulation results" received by the listener or the like.

Consequently, claims 5, 6, and 8 do not appear to be novel based on document 2.

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